

Def. Doc. # 1192

Translated by
Defense Language

Announcement of the Information Section re the Japanese Government's Answer to the United States concerning the Latter's Rights and Interests in China.

(November 18th, 1938)

The U.S. Government has made some inquiries in an official note dated October 6 and addressed to Foreign Minister KONOYE concerning (1) control of exchange in Tsingtao; (2) Revision of Customs tariff in North and Central China; (3) establishment of Communications, transportation, wharf and development companies; and (4) restrictions based on military necessity of the Japanese forces.

To this note, Foreign Minister ARITA answered as follows in an official note addressed to Mr. Grew United States Ambassador to Japan, on 18th inst.-

Your Excellency:

We acknowledge receipt of your note of October 6, addressed to the former Foreign Minister KONOYE, in which you made representations concerning the rights and interests of your country in China. Citing many instances based on the information in the hands of your government, you state in the said note that the Japanese authorities in China are treating your nationals with discrimination and infringing upon the rights

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and interests of your country. In the following we set forth the views of the Japanese Government on these instances.

(1) The circumstances which necessitated adoption of such measures for the control of exchange as are now being taken in Tsingtao and the present condition of the matter are as follows as far as the Imperial Government knows, and we understand that these measures make no discrimination against your nationals:

The Federal Reserve Bank of China was established some time ago in North China. It was decided that the notes of the bank should have an international value of one shilling and two pence per yen. They are now widely in circulation, the amount of issue already running up to more than one hundred million yen. Being the compulsory currency of the Provisional Government, the maintenance of the value of the F.R.B. notes and their smooth circulation were deemed indispensable as the foundation for the operation and development of economic activity in North China. The Japanese Government has therefore been assuming an attitude of cooperation in this matter and all Japanese residents are using the notes. Consequently, in carrying on export trade, the F.R.B. notes are being changed into foreign currency at the rate of one shilling and two pence to one yen. On the other hand, as the foreign value

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of the old fapi circulating in the same areas, has actually fallen to about eight pence, the exporters using this currency in their transactions are making great illegal gains, compared with those who carry on trade properly by using the F.R.B. notes at the legal rate of one shilling and two pence. Thus the Japanese nationals and others who are using the F.R.B. notes are placed at an unduly great disadvantage, compared with those who live and engage in business within the jurisdiction of the new North China Government and yet use only the old fapi.

Besides, the fact that there is such a difference of exchange value between the old fapi and the F.R.B. notes which are being changed by the F.R.B. authorities at a nearly same rate unfavorably affects the international value of those notes and in consequence the value of Japanese yen. Therefore, the Japanese Government cannot be indifferent and leave the matter as it is. The measures adopted concerning this export exchange problem in Tsingtao was taken as an attempt to make the users of the old fapi who had been gaining undue profits deal on the same footing as the users of the F.R.B. notes, and at the same time, to support the maintenance of the foreign value of the latter notes, moreover, as the measures do not vary in application according to the nationality, they mean no discrimination whatever. On the contrary, the position of the users of the

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F.R.B. notes who had in a sense been treated discriminatingly has become equal to that of others, and they are now able to compete on a perfectly equal basis.

(2) The new Chinese regimes in North and Central China have recently revised the customs tariff. It was an attempt to effect a rational reform of the tariff rates which had been enforced by the National Government but were thought to be unduly high and unfit for promoting the reconstruction of economy and the welfare of the people. In the revision they adopted for the time being the tariff rates of 1931, which had already been approved by other nations concerned, and the interest of no special country has been considered. Consequently no voice of dissatisfaction with the reform has been heard from any foreign residents in China. The Japanese Government, too, has approved of the motive of this reform, and considers that the reform will promote the development of every other nation's trade with China.

(3) As regards the establishment of some Companies for carrying out certain enterprises in China, we are of the opinion that the reconstruction and development of economy, finance and industry in China after the Incident is of the most urgent necessity for the welfare of the Chinese people, and our government, deeply interested in the prompt commencement and progress of those reconstructional as well as developmentary

enterprises in order to establish a new order in East Asia, is concentrating every possible efforts for that purpose. The establishment of reinvestment companies such as the North China Development Company and the Central China Development Company has been effected solely to render assistance necessary for the above-mentioned reconstruction as well as to contribute towards developing the resources of China. It neither infringes on the rights and interests of your nationals in China, nor makes any discrimination against their enterprises. Accordingly, the Japanese Government has not only no intention of objecting to, but is ready to welcome, the participation of any third country who is willing to cooperate with us with due regard for the new situation.

The establishment of the Electric Communication Companies in North and Central China, the Inland River Steamship Company in Shanghai, and Tsingtao Wharf Company was also prompted by the urgent necessity of speedily reorganizing the communication and transportation services and harbour facilities which were damaged during the Incident. The electric communication is in nature a public enterprise and it is natural that it is undertaken by some specified companies from the viewpoint of public safety and national defense. But the other companies are all undertaken by ordinary Chinese or Japanese corporations, and none of them aim to monopolize profits nor to make any

discrimination against your country or any other third country. With regard to the wool trade, although control over purchasing agencies was exercised once in Mengchiang, it has since been abolished. As to tobacco, there is no plan now of making it a government monopoly.

(4) As for the return of your nationals to the areas occupied by the Japanese forces, no restriction is placed, except in such special cases as, for instance, the return jeopardizes their safety. As you know, although in the districts along the Yangtze River many of your countrymen have already returned, it is not yet permitted in general. The reason is, as we have often informed you, either that it is considered to be dangerous because public order is not yet restored, or that the nationals of third powers cannot be allowed to enter due to the necessity of keeping military secrets or to the requirements of military operations. Other minimum restrictions placed on the residence, travelling, business and commerce of the people of your country in the occupied areas are also necessitated by the present state of peace and order and military requirements. The Japanese Government is expecting to restore a normal condition as quickly as circumstances permits.

(5) It is quite a surprise to the Japanese Government to hear that there is some fundamental differences between the treatment given to our people in the territory of your country

and the treatment your nationals receive in our Empire. It is true that under the present extraordinary situation various economic restraints are being put upon your citizens in Japan. But these restraints are imposed not only upon our nation and your citizens but also upon all other foreigners. It is needless to say that these restraints are not placed particularly upon your nationals. And as to your views expressed in your note concerning the treatment of Japanese in the territory of your country, the Japanese Government reserves the statement of our opinion for a later occasion.

As repeatedly mentioned above, the Japanese Government has been doing its utmost to look after the rights and interests of your country in China. However, now that military operations on an unprecedentedly large scale are in progress in East Asia, we hope you will understand that we may sometimes be unavoidably hindered from carrying out our intention to respect your rights and interests in the East Asia. At present our Empire is making every possible effort for the construction of a new order in East Asia based on true international justice. The attainment of this object is not only indispensable for the existence of our Empire, but will lay the foundations for an eternal peace in East Asia. Now that a new situation is developing in this part of the world, we believe that the application of concepts and principles which held good for

the pre-Incident situation to the present and future situation would not only fail to bring the outstanding problems to a solution, but would also hinder the establishment of an eternal peace in East Asia.

If, however, your country and other Powers acknowledge the purport of our note set forth above and then will take part in the great work of reconstructing East Asia in the various fields of industry and trade not only the Japanese Empire has no intention of objecting to it, but we also believe that we are ready to accept even the government now being formed in China.

Accept, Your Excellency, the renewed assurance of my highest consideration,

Yours respectfully,

CERTIFICATE OF SOURCE AND AUTHENTICITY

I, HAYASHI Kaoru, who occupy the post of Chief of the Archives Section, Foreign Office, hereby certify that the document hereto attached, written in Japanese, consisting of 8 pages and entitled "Announcement of the Information Section re the Japanese Government's Answer to the United States concerning the Latter's Rights and Interests in China" is an exact and authorized excerpt from an official document in the custody of Japanese Government (Foreign Office).

Certified at Tokyo, on this 8th day of April, 1947

/S/ HAYASHI, Kaoru (seal)

I hereby certify that the above signature and seal were affixed hereto in the presence of the Witness.

At the same place, on this same date.

Witness: /S/ URABE, Katsuma (seal)

TRANSLATION CERTIFICATE

I, Arthur A. Misaki, of the Defense Language Branch, hereby certify that the foregoing translation described in the above certificate is, to the best of my knowledge and belief, a correct translation and is as near as possible to the meaning of the original document.

/S/ Arthur A. Misaki

Tokyo, Japan
Date 28 April 1947

not used

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在支米國權益ニ對スル對米帝國回答ニ

關スル情報部發表 (昭和十三年十一月十八日)

米國政府ハ去年十一月六日附近衛外務大臣宛公文ヲ以テ(一)青島ニ於ケル爲替管理(二)北支及中支ニ於ケル關稅率ノ改正(三)通信、運輸、埠頭、開發ノ諸官社ノ設立(四)海軍ノ軍事上ノ必要ニ應ジテ制限等ノ範圍ニ付申入ルル所アツクニ對シ有田外相ヨリ本年八月「ワグネル」駐日米國大使宛公文ヲ以テ左ノ通關答シタ

以テ對答上並給應答支那ニ於ケル貴國權益ニ關シ十月六日附貴國第一〇一七六號ヲ以テ近衛前外務大臣宛宛申越ノ次第有之詞悉數候

右貴國ニ於テ閣下ハ貴國政府ノ有スル情報ニ其キ幾多事例ヲ舉ケ支那ニ於テ帝國官憲カ貴國人民ニ對シ差別待遇ヲ與ヘ貴國權益ヲ侵害シ居ル旨申述ヘラレ候是等事例ニ付帝國政府ノ見解ヲ開陳スレハ左ノ通ニ有之候

一、青島ニ於テ現ニ輸出爲替ニ關シ實施シ居ルカ如キ措置ヲ講スルニ至

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レル¹⁹¹² 總竝ニ現狀ハ帝國政府ノ承知スル所ニ依レハ左記ノ如クニテ實
國人民ニ對シ何等差別待遇トナルモノニ非スト了ス

即チ要ニ北支ニ於テ中國聯合準備銀行ノ設立ヲ見其ノ銀行券ハ一圓ニ
寸一志二片ノ對外價值ヲ有スルコトトシ其ノ發行高ハ既ニ一億數千萬
圓ニ達シ一圓ニ普及シ唐ル次第ナリ且同銀行券ハ臨時政府ノ強制通貨
ニシテ同券ノ價值維持竝ニ圓滑ナル流通ハ北支ニ於ケル經濟活動ノ運
行進展ノ基礎トシテ不可缺ナルモノト認メラレタル結果帝國政府ハ之
ニ協力スルノ態度ヲ執リ來レルヲ以テ帝國臣民ハ總テ同券ヲ使用シ居
リ從ツテ對外輸出ニ當リテモ一志二片ノ相場ニテ外貨ニ換算シ居ル次
第ナリ然ルニ他面尙同地方ニ流通シ居ル舊法幣ハ其ノ實際上ノ對外價
值八片內¹⁹¹² 至¹⁹¹² 落シ居ルヲ以テ右ヲ利用サル輸出取引ハ一志二片ノ聯銀
券ヲ利用シ法幣ノ對外價值ニ依リ正當ナル取引ヲ行フ者ニ比シ不當ノ
利益ヲ得ツツアリテ聯銀券ヲ使用シ居ル帝國臣民其ノ配ハ北支新政府
ノ管轄地域內ニ居住營業シツツ而モ舊法幣ノミヲ使用スルモノニ比シ

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不當ナル不利益ヲ蒙リ居リタル次第ナリ他面準備當局ニ於テ略々等價
ニテ換算シ居ル舊法幣ト新銀券ノ對外價值ニ於テ級上ノ開キヲ有スル
コトハ延イテ聯銀券ノ對外價值更ニハ日本國貨ノ價值ニモ惡影響ヲ及
ホスヲ以テ帝國政府トシテハ右ヲ放置傍觀スルヲ得サル次第ニテ青島
ニ於ケル本件輸出爲替ニ關スル措置ハ不當ニ利益ヲ得ツツアリタル舊
法幣使用者ノ地位ヲ新銀券使用者ノ地位ト同等ナラシムルト共ニ聯銀
券ノ對外價值維持ヲ確保セントスル一ノ企圖ナリシモノナリ而モ本措
置ハ關稅ニ依リ適用ヲ異ニスルモノニ非サルヲ以テ何等ノ差別待遇ニ
非ス寧ロ從來一種ノ差別的待遇ヲ受ケ居リタル聯銀券使用者ノ地位ハ本
措置ニ依リ初メテ同等トナリ完全ニ平等ナル基礎ノ下ニ競争スルヲ得
ルニ至レル次第ナリ

二、北支及中支ニ於ケル支那新政府力過渡關稅率改正ヲ實施シタルハ義
ニ國民政府ノ施行サル稅率力不當ニ高率ニシテ經濟復興民生ノ福祉ヲ
阻ルニ適セサリシニ鑑ミ合理的改正ヲ爲サントシタルモノナルモ兎ニ
角取敢ヘス各國力既ニ承認シタル一九三一年ノ稅率ヲ採用セルモノニ

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シテ或特定國ノ利益ヲ企圖シタルモノニ非ス從ツテ右改正ニ對シ如何ナル國ノ在支居留民ヨリモ不滿ノ聲ヲ聞カサリシ次第ナリ帝國政府モ國ヨリ其ノ改正ノ趣旨ニ贊成ニシテ本改正ニ依リ各國ノ對支貿易ハ愈々促進セラルルモノト思考シ居レリ

三、次ニ支那ニ於ケル或種ノ企業會社ノ設立ニ付テハ今次事變後ニ於ケル支那ノ經濟財政及產業等ノ復興開發カ支那民生ノ爲急務ノ急務ナルノミナラズ帝國政府トシテハ東亞ニ於ケル新秩序建設ノ爲是等復興開發事業ノ急速ナル着手及其ノ進行ニ重大ナル關心ヲ有シ凡有積極的勞力ヲ傾注シ居ルモノニシテ北支那開發及ヒ中支那復興ノ再興會社ノ設立ヲ見タルハ支那側ニ對シ右復興ニ必要ナル援助ヲ供與スルト共ニ支那ノ資源開發ニ寄與セントスルルノニ外ナラス同等貴國人民ノ支那ニ於ケル權益ヲ害シ其事業ニ差別待遇ヲ與フルモノニ非ス從ツテ帝國政府トシテハ新事態ニ立脚シテ我方ニ助力セントスル第三國ノ參加ニ對シ反對スル意圖無キハ勿論寧ロ大ニ之ヲ歡迎スルモノナリ

北支及中支ニ於ケル電氣通信會社、上海ニ於ケル內河汽船會社及ヒ青

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島嶼領會社ノ設立ヲ亦事變ニヨリ破壞セラレタル通信運搬及港灣經營機關ヲ至急修補スルノ緊急必要ニ出テタルモノナル電氣通信事業ノ公共的性質ヲ有スルノミナラス治安國防等ノ關係ヨリ特殊會社ノ事業タルハ當然ナルカ其ノ他ハ普通ノ支那又ハ日本法人ニシテ何レモ貴國又ハ第三國ニ對シ差別的待遇ヲ與ヘ利益ヲ獨占スルコトヲ目的トナシ居ルモノナラハ尙羊毛取引ニ付テハ蒙藏地方ニ於テ實任機關ヲ確立シタルコトヲ以テ現在右ハ撤去セラレ居リ又煙草ニ付テハ現在同等專賣計畫ノ事實存ヤス

四、我軍占領區域ヘノ貴國人民ノ復歸ニ付テハ北支ニ於テ右復歸力却テ復歸者ノ安全ニ害アルカ如キ特殊ノ場合ノ外之ヲ制限シ居ラス獨子江ニ我軍地方ニ於テ既ニ多數貴國人民ノ復歸ヲ見タルハ調承知ノ通ナル處未タ尙一般的ニ復歸ヲ許容シ得サルハ屢次申進ノ通り或ハ治安ノ未タ恢復セラレサル爲ノ危險ヲ慮リ或ハ機密保持等我軍作戰ノ必要上第三國人ノ立入ヲ許シ得サル事由アルニ基クモノナリ其間一或ニ右占領區域内ニ於ケル貴國人民ノ居住往來ニ及ビ通商ニ課ヤラレ居ル諸制限モ

亦占領地域内ノ治安ノ現状及軍事上ノ必要ニ基ク最少限ノモノニシテ
帝國政府ニ於テハ事情ノ許ス限り速ニ常態ニ復セシメンコトヲ期シ居
ル次第ナリ

五、貴國領内ニ於テ帝國臣民カ受ケ居ル待遇ト帝國臣民ニ於テ貴國人民
ノ受ケ居ル待遇トノ間ニ何等カ根本的ナル差異アリト爲スカ如キハ帝
國政府ノ意外トスル所ニシテ帝國内ニ於ケル貴國人民カ刻下ノ非常事
態ニ際シ種々ナル經濟上ノ拘束ヲ課セラレ居ルハ事實ナルモ斯ノ如キ
拘束ハ帝國臣民及貴國人民以外ノ外國人モ均シク之ヲ受ケ居ル所ニシ
テ特ニ貴國人民ニノミ課セラレタルモノニ非サルコトハ申ス迄モナシ
同貴國領内ニ於ケル帝國臣民ノ待遇ニ關シテ貴國中ニ照ヘラレタル
實見ニ付テハ則ニ帝國政府ノ見解ヲ早延フヘキコトヲ留念スルモノナ
リ

以上廢地ノ事リ帝國政府ハ支部ニ於ケル貴國權益ハ之ヲ充分ニ尊重スル
ノ意圖ヲ以テ國家專断ノ限リノ努力ヲ爲シ來レルモノナル誠意下東亞ニ於
テハ百餘年來會テ見サル大規模ノ軍事行動行ハレツツアルヲ以テ貴國權益

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主權ノ範圍ヲ實行スル上ニ時トシテ支障ヲ生スルコトアルハ貴國政府
ニ於テモ諒承相成ルヘキコトト存候

目下帶門ハ東亞ニ於テ眞ノ國際正義ニ基ク新秩序ノ建設ニ全力ヲ擧ケテ
邁進シツツアル次第ナルカ之カ達成ハ帝國ノ存立ニ缺クヘカラサルセノ
タルノミナラス東亞永遠ノ安定ノ礎石タルヘキモノニ有之儀今ハ東亞ノ
天地ニ於テ新ナル情勢ノ展開シツツアルノ秋ニ當リ事變前ノ事態ニ適用
アリタル觀念乃至則チ以テ其ノ實現を及今ハノ事態ヲ律セントスルコト
ハ何等ノ面ノ問題ノ解決ヲ齎ス所以ニ非サルノミナラス又東亞恒久平和ヲ
ノ確立ニ資スルモノニ非サルコトヲ信スル次第ニ有之候

然レ共貴國其他ノ列國ニ於テ被上ノ通言ヲ諒解ヤラレ以テ企業貿易ノ
分野ニ亘リテ互恵利益ノ大業ニ參加ヤラルルコトニ對シテハ帝國トシテ
何等之ニ反對スルノ意圖ナキノミナラス目下支那ニ於テ成長中ナル政權
トシテモ之ヲ歡迎スルノ用意アルモノト存ヤラレ候
右同答申進等々本大臣ハ茲ニ重ネテ閣下ニ同テ敬意ヲ表シ候 敬具

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文書ノ出所竝ニ成立ニ關スル證明書

(三號)

自分、林 肇ハ外務省文書課長ノ職ニ居ル者ナルヲ以テ、茲ニ添付セラレタル日本語ニ依ツテ書カレ八頁ヨリ成ル米在支米同種ニ對スル情報トスル書類ハ日本政府(外務省)ノ保管ニ係ル公文書ノ正確ニシテ眞實ナル寫シナルコトヲ證明ス

昭和二十二年 四月 八日 東京

林

右署名捺印ハ自分ノ面前ニ於テ爲サレタリ

同日 於 同 所

立會人 浦 部 勝 馬